

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the joint requests for Commission)
approval of interconnection agreements and)
amendments.)
_____)

At the March 28, 2017 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
 Hon. Norman J. Saari, Commissioner
 Hon. Rachael A. Eubanks, Commissioner

ORDER

The following parties have filed joint applications for approval of interconnection agreements
or amendments to an interconnection agreement:

Case No. U-13124	AT&T Michigan and McLeodUSA Telecommunications Services, L.L.C. (f/k/a McLeodUSA Telecommunications Services, LLC, d/b/a Paetec Business Services and/or Cavalier Telephone) Application filed January 10, 2017, and amended application filed March 17, 2017, for approval of a twenty-first amendment to the interconnection agreement (extends the term of the Midwest Performance Measures and Remedies Plan to December 31, 2018; and changes the names of the carriers as specified in Exhibit A).
Case No. U-14238	AT&T Michigan and Ace Telephone Company of Michigan, Inc. Application filed March 10, 2017, for approval of a tenth amendment to the interconnection agreement (adds terms and conditions to modify existing procedures for calculating Percent Local Usage Factors between the parties).

- Case No. U-15219 AT&T Michigan and Climax Telephone Company
Application filed March 10, 2017, for approval of an eighth amendment to the interconnection agreement (adds terms and conditions to modify existing procedures for calculating Percent Local Usage Factors between the parties).
- Case No. U-16121 AT&T Michigan and Talk America, LLC, and LDMI Telecommunications, LLC (f/k/a Talk America, Inc., d/b/a Cavalier Telephone, and LDMI Telecommunications, Inc., d/b/a Cavalier Telephone and/or Paetec Business Services)
Application filed January 10, 2017, and amended application filed March 17, 2017, for approval of a twenty-first amendment to the interconnection agreement (extends the term of the Midwest Performance Measures and Remedies Plan to December 31, 2018; and changes the names of the carriers as specified in Exhibit A).
- Case No. U-16179 AT&T Michigan and Cincinnati Bell Any Distance Inc.
Application filed March 8, 2017, for approval of a second amendment to the interconnection agreement (adds terms and conditions to modify existing procedures for calculating Percent Local Usage Factors between parties).
- Case No. U-18049 AT&T Michigan and First Communications, LLC
Application filed March 1, 2017, for approval of a fifth amendment to the interconnection agreement (clarifies the terms of the third amendment, approved March 29, 2016, which was prepared and executed under the presumption that First Communications, LLC, had purchased all of the assets of Comcast Phone in the states of Illinois, Indiana, Michigan, Ohio, and Wisconsin, whereas, in fact, First Communications, LLC, purchased only a portion of the Comcast Phone assets in these five states; and clarifies that the Comcast Phone companies continue to operate under their respective interconnection agreements after the transfer, rather than terminating their interconnection agreements as stated in the third amendment).
- Case No. U-18323 AT&T Michigan and Local Access LLC
Application filed February 22, 2017, for approval of an interconnection agreement.

47 USC 252(e)(2) and (3) provides in part:

- (2) The State commission may only reject
 - (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) of this section if it finds that--
 - (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or

(ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; . . .

(3) Notwithstanding paragraph (2), but subject to section 253 of this title, nothing in this section shall prohibit a State commission from establishing or enforcing other requirements of State law in its review of an agreement, including requiring compliance with intrastate telecommunications service quality standards or requirements.

After reviewing the applications, the Commission finds that they should be approved. The Commission finds that the agreements and amendments are consistent with federal and state law and are in the public interest. Under 47 USC 252(i) and MCL 484.2359(2), the services provided under the agreements shall be made available to other telecommunications carriers upon the same terms and conditions.

THEREFORE, IT IS ORDERED that:

A. The interconnection agreements and amendments listed above are approved.

B. Approval of the interconnection agreements and amendments does not alter the duty of the parties to comply with relevant federal and state law and past and future Commission orders and rules.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party aggrieved by this order may file an action in the appropriate federal District Court under 47 USC 252(e)(6). To comply with the requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungpl@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Sally A. Talberg, Chairman

Norman J. Saari, Commissioner

Rachael A. Eubanks, Commissioner

By its action of March 28, 2017.

Kavita Kale, Executive Secretary